

91st Illinois General Assembly Senate Transcript

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

104th Legislative Day

November 9, 2000

PRESIDENT PHILIP:

The regular Session of the 91st General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? Our prayer today will be given by the Reverend Gordon McLean, First Presbyterian Church, Springfield, Illinois. Reverend McLean.

THE REVEREND GORDON MCLEAN:

(Prayer by the Reverend Gordon McLean)

PRESIDENT PHILIP:

Please remain standing for the Pledge of Allegiance. Senator Radogno.

SENATOR RADOGNO:

(Pledge of Allegiance, led by Senator Radogno)

PRESIDENT PHILIP:

Reading of the Journal, Mr. Secretary.

SECRETARY HARRY:

Senate Journals of Friday, April 14th, 2000, and Saturday, April 15th, 2000.

PRESIDENT PHILIP:

Senator Myers.

SENATOR MYERS:

Mr. President, I move that the Journals just read by the Secretary be approved, unless some Senator has additions or corrections to offer.

PRESIDENT PHILIP:

Senator Myers moves to approve the Journals just read. There being no objection, so ordered. House Bills 1st Reading.

SECRETARY HARRY:

House Bill 3612, offered by Senator Klemm.

(Secretary reads title of bill)

Senate {sic} Bill 3617, by Senator Philip.

(Secretary reads title of bill)

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House Bill 3619.

(Secretary reads title of bill)

House Bill 3620, by Senator Philip.

(Secretary reads title of bill)

House Bill 3808, offered by Senator Ronen.

(Secretary reads title of bill)

House Bill 4230, by Senator Philip.

(Secretary reads title of bill)

House Bill 4659, by Senator Philip.

(Secretary reads title of bill)

And House Bill 4663, by Senator Philip.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State Journal-Register requests permission to photograph today's Session, as well as Channel 20-WICS requests permission to record the proceedings. Hearing no objection, leave is granted. Messages.

SECRETARY HARRY:

Message from the Secretary of State, dated November 9th, 2000.

To the Honorable President of the Senate:

Sir - In compliance with the provisions of the Constitution of the State of Illinois, I am forwarding herewith the enclosed Senate Bills, from the 91st General Assembly as vetoed by the Governor together with his objections:

Senate Bills 1241 and 1426.

Respectfully, Jesse White, Secretary of State.

Another Message, dated November 9th, 2000.

To the Honorable President of the Senate:

Sir - In compliance with the provisions of the Constitution of the State of Illinois, I am forwarding herewith the enclosed Senate Bills that are being returned by the Governor

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with specific recommendations for change:

Senate Bills 810, 1382, 1404 and 1680.

Respectfully, Jesse White, Secretary of State.

Message from the State Superintendent of Education, Glenn W. McGee, dated September 29th, 2000.

A Report on Waiver of School Code Mandates.

As required by Section 2-3.25g of the School Code, the following report provides summaries of requests for waivers of School Code mandates and appeals of State Board action to the Illinois General Assembly for its consideration.

Message from the President, dated June 16th, 2000.

Dear Mr. Secretary - Pursuant to Senate Rule 3-3(d), I hereby establish, to be effective immediately, a special temporary committee to be known as the Senate Committee on Toll Highway Financial Restructuring. Further in accordance with Senate Rule 3-1, the committee shall be composed of eight Members: five, one of whom shall serve as Chairperson, to be appointed by the President of the Senate; and three, one of whom -- shall serve as Minority Spokesperson, to be appointed by the Minority Leader of the Senate. This special committee shall conduct hearings for the purpose of reviewing and seeking testimony with regard to the status of the Illinois State Toll Highway Authority and, in particular, with regard to a document dated March 2000 and entitled "Alternatives for Restructuring the Tollway System: A

Report to the Governor." The testimony shall explore the current bond covenants and the State's fiscal liability if the existing bonds were to be defeased. Furthermore, the committee shall review the financial condition of the Authority, including revenues and expenditures. The committee may explore alternatives to the current toll collection method focusing on experimental traffic congestion relief options.

Signed by President Philip.

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Another Letter from the President, dated June 16th, 2000.

Dear Mr. Secretary - As the Senate Committee on Toll Highway Financial Restructuring has been properly established pursuant to Rule 3-3(d), I am entitled to appoint five Members, including the chairperson of the committee. Please be advised that I hereby appoint the following Members, effective upon the filing of this letter with you: Senator Parker, Chairperson; Senators Mahar, Dillard, Donahue and Klemm.

Signed by President Philip.

A Message from the Minority Leader, dated July 19th, 2000.

Dear Mr. Secretary - Please be advised that I have made the following appointments to the Senate Committee on Toll Highway

Financial Restructuring: Senators Shadid, Link and Molaro.

Signed by Senator Jones.

PRESIDING OFFICER: (SENATOR WATSON)

Mr. Secretary, Introduction of Bills.

SECRETARY HARRY:

Senate Bill 1962, offered by Senator Klemm.

(Secretary reads title of bill)

Senate Bills -- 1963, by Senator O'Malley.

(Secretary reads title of bill)

(Senate Bill 1964.) (Bill within parentheses submitted in writing, but inadvertently not read into record.)

Senate Bill 1965, by Senator O'Malley.

(Secretary reads title of bill)

Senate Bill 1966, by Senators O'Malley and Lauzen.

(Secretary reads title of bill)

Senate Bill 1967, by Senators Noland and Myers.

(Secretary reads title of bill)

Senate Bill 1968, by Senators Radogno, Lisa Madigan and others.

(Secretary reads title of bill)

Senate Bill 1969, by Senator Link.

(Secretary reads title of bill)

Senator Sullivan offers Senate Bill 1970.

(Secretary reads title of bill)

Senate Bill 1971, by Senator O'Malley.

(Secretary reads title of bill)

Senator Sieben offers Senate Bill 1972.

(Secretary reads title of bill)

Senate Bill 1973, by Senator Larry Walsh.

(Secretary reads title of bill)

Senate Bill 1974, by Senator Myers.

(Secretary reads title of bill)

And Senate Bill 1975, by Senators Myers, Noland and others.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Resolutions.

SECRETARY HARRY:

Senate Joint Resolution 74, offered by Senator Cronin.

And Senate Resolutions -- 435, offered by Senator O'Malley and
Senator Viverito.

And Senate Resolution 436, by Senator Rauschenberger.

They're all substantive, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Donahue, what purpose do you rise?

SENATOR DONAHUE:

Thank you very much, Mr. President. If I could have the
attention of the Chamber for just a minute. I'm sure many of you
over the summer, when you've been back into Springfield and have

tried to motivate -- move around the Capitol, you have found obstructions along the way, scaffolding. You couldn't really even get into the Senate Chambers over the summer months. And as we

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came back today and walk in here and see the beauty that -- this ceiling, we've spent many hours looking at it, I think, over the years in -- in Springfield. But I don't think any of us realized the ornateness and the beauty that's up there. And we have the gentleman that is responsible for this in our gallery today. He's above the President's Gallery. His name is Jeff Greene of Evergreene Painting Studio, and I had a chance to see and work with him over the summer. And, Jeff, I'd just like to have you stand up and be recognized by the Senate.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will our guest in the gallery please rise and be recognized?
Thank you for a job well done. Senator Donahue.

SENATOR DONAHUE:

Let -- let me continue a little bit. I just wanted to recognize him. I didn't want him to -- I didn't to end there. At this point, there's a little bit more to talk about. We started this project, April, as soon as we left. There has been

twenty-five people that have worked very hard in making this the beauty that it is. We've reinforced -- if you remember, we had a few chips and things falling off the ceiling, aiming for the President's head at times. But we have reinforced the ceiling. It's been totally repaired. And we are going to try to renovate and -- and actually bring it back to the nineteenth century, the late nineteenth century, in that time period. And while the ceiling's completed and the -- the drapes along the side and some of the woodwork being done, this is just the first phase. So the next time we come back, after our Session in the spring, we will have something more to be looking at. So I just think we need to -- to praise Jeff and the Evergreene Painting Studio for the hard work.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Thank you, Senator Donahue. Senator Dillard, what purpose do

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you rise?

SENATOR DILLARD:

...you -- thank you, Mr. President and Ladies and Gentlemen of the Senate. One thing I did want to point out about Jeff. While Jeff Greene may work for a -- a studio in New York City, he grew

up in Clarendon Hills, Illinois, in my district, and attended the same high school that I did - I found out today - Hinsdale Central High School. So Jeff was trained here and is a native Illinoisan, and you did great work. Thank you very much.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Messages.

SECRETARY HARRY:

A Message for the Governor by Charles Woodward, Director of Legislative Affairs, dated June 19th, 2000.

Mr. President - The Governor directs me to lay before the Senate the following Message:

To the Honorable Members of the Senate, 91st General Assembly - I have nominated and appointed the following named person to the office enumerated below and respectfully ask concurrence in and confirmation of this appointment of your Honorable Body.

Signed by George H. Ryan, Governor.

A Message for the Governor by Charles Woodward, Director of Legislative Affairs, November 9th, 2000.

Mr. President - The Governor directs me to lay before the Senate the following Message:

To the Honorable Members of the Senate, 91st General Assembly - I have nominated and appointed the following named persons to the offices enumerated below and respectfully ask concurrence in and confirmation of these appointments of your Honorable Body.

Signed by Governor Ryan.

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A Message from the Secretary of State, dated September 13th, 2000.

To the Honorable Members of the Illinois State Senate -
Mr. George Dunne resigned from the Secretary of State Merit Commission on April 30th, 2000. I have nominated and appointed Robert G. Pautler to replace George Dunne. I respectfully ask concurrence in and confirmation of this appointment by your Honorable Body.

Signed by Jesse White, Secretary of State.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Thank you, Madam President. I'd like the record to reflect that Senator Bowles is absent today due to legislative business in her district.

PRESIDING OFFICER: (SENATOR DONAHUE)

The record will so reflect. Introduction of Bills.

ACTING SECRETARY HAWKER:

Senate Bill 1976, offered by Senator Watson.

(Secretary reads title of bill)

1st Reading of the bill. Resolutions?

PRESIDING OFFICER: (SENATOR DONAHUE)

Resolutions.

ACTING SECRETARY HAWKER:

Senate Resolution 353, offered by Senator Hendon and all Members.

Senate Resolution 354, offered by Senator Lauzen and all Members.

Senate Resolution 355, also offered by Senator Lauzen and all Members.

Senate Resolution 356, offered by Senator Hawkinson and all Members.

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Senate Resolution 357, offered by Senator O'Malley and all Members.

Senate Resolution 358, offered by Senator Clayborne and all Members.

Senate Resolution 359, offered by Senator Lauzen and all Members.

Senate Resolution 360, offered by Senator Viverito and all Members.

Senate Resolutions 361 and 362, offered by Senator Lauzen and

all Members.

Senate Resolution 363, offered by Senator Emil Jones and all Members.

Senate Resolution 364, offered by Senator Lauzen and all Members.

Senate Resolution 365, offered by Senator Peterson and all Members.

Senate Resolution 363 -- pardon me, 366, offered by Senator Clayborne and all Members.

Senate Resolution 367, offered by Senator Geo-Karis and all Members.

Senate Resolution 368, offered by Senator Peterson and all Members.

Senate Resolution 369, offered by Senator O'Malley and all Members.

Senate Resolution 370, offered by Senators Hawkinson and Shadid and all Members.

Senate Resolution 371, 372, 373, all offered by Senator Clayborne and all Members.

Senate Resolution 374, offered by Senator Lauzen and all Members.

Senate Resolution 375, offered by Senators Philip, Lauzen and all Members.

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Senate Resolution 376, offered by Senator O'Malley and all Members.

Senate Resolution 377 and 378, offered by Senator Hendon and all Members.

Senate Resolution 379, offered by Senator Lauzen and all Members.

Senate Resolution 380, offered by Senator Clayborne and all Members.

I have a like Resolution by Senator Clayborne, Senate Resolution 381.

Senate Resolution 382, offered by Senator Geo-Karis and all Members.

Senate Resolution 383, offered by Senator Dillard and all Members.

Senate Resolutions 384, 385, 386, 387, all offered by Senator Lauzen and all Members.

Senate Resolution 388, offered by Senator Hendon and all Members.

Senate Resolution 389, offered by Senator Emil Jones and all Members.

Senate Resolution 390, offered by Senators Shadid, Hawkinson and all Members.

Senate Resolution 391, 392, 393, all offered by Senator Lauzen and all Members.

Senate Resolution 394, offered by Senator O'Malley and all Members.

Senate Resolution 395 and 396, offered by Senator Lauzen and all Members.

Senate Resolution 397, offered by Senator Emil Jones and all Members.

Senate Resolution 398, offered by Senator Shaw and all Members.

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Senate Resolution 399, offered by Senators Philip, Emil Jones and all Members.

Senate Resolutions 400, 401, 402, 403, 404, all offered by Senator Lauzen and all Members.

Senate Resolution 405, offered by Senator Dillard and all Members.

Senate Resolutions 406, 407, 408, all offered by Senator Lauzen and all Members.

Senate Resolutions 409, 410, 411, all offered by Senators -- Senator Lightford and all Members.

Senate Resolution 412, 413, offered by Senator Lauzen and all Members.

Senate Resolution 414, offered by Senator Parker and all Members.

Senate Resolution 415, offered by Senator Emil Jones and all Members.

Senate Resolution 416, offered by Senator Clayborne and all Members.

Senate Resolution 417, offered by Senator Bomke and all Members.

Senate Resolutions 418 and 419, offered by Senator Lauzen and all Members.

Senate Resolution 420, offered by Senator Sullivan and all Members.

Senate Resolutions 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431 and 432, all offered by Senator Demuzio and all Members.

Senate Resolution 433, offered by Senator Link and all Members.

Senate Resolution 434, offered by Senator Jacobs and all Members.

They're all death resolutions.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Consent Calendar. Messages from the House.

ACTING SECRETARY HAWKER:

A Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 1281, with House Amendments 1 and 2.

I have a like Message on Senate Bill 1707, with House Amendments 1 and 5.

Passed the House, as amended, April 15, the year 2000.

PRESIDING OFFICER: (SENATOR DONAHUE)

If I could have your attention for just a minute, please. I'd like to remind all Members that motions on veto measures should be filed with the Secretary as soon as possible. It's the intent of the Chair to take up motions on veto measures beginning on Tuesday, November 14th. So get 'em filed. And the quicker you do it, the quicker we can move. Committee Reports.

ACTING SECRETARY HAWKER:

Senator Weaver, Chairman of the Committee on Rules, reports that the following Legislative Measures have been assigned: Refer to Education Committee - House Bills -- 544 and Senate Joint Resolution 74; refer to Executive Committee - House Bills 3612, 3615 {sic}, 3617, 3619, 3620, 4659, 4663 and Senate Bill 1975; refer to Judiciary Committee - House Bills 1511, 4267 and 4279; refer to Public Health and Welfare Committee - House Bill 298; and Be Approved for Consideration - House Bills -- 2110, House Joint Resolution 10 -- pardon me, House Joint Resolution 19 and Senate Bills 1867 and 1869.

Signed by Senator Stanley B. Weaver, Chairman, November 9, 2000.

PRESIDING OFFICER: (SENATOR DONAHUE)

Resolutions Consent Calendar. Have there been any objections

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filed to the Resolution Consent Calendar?

ACTING SECRETARY HAWKER:

There have been no objections filed, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

All those resolutions that were read in today will be added to the Consent Calendar. Is there any objections? No objections. Resolutions are -- adopted. House Bills 1st Reading.

ACTING SECRETARY HAWKER:

House Bill 4253, offered by Senators Luechtefeld and Watson.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Motions.

ACTING SECRETARY HAWKER:

Senator Silverstein has filed a motion with respect to Senate Bill 1382.

PRESIDING OFFICER: (SENATOR DONAHUE)

Madam Secretary, have there been any motions filed? Oh! The

Chair requests that these motions be printed on the Calendar. So ordered. Senator Karpiel, for what purpose do you seek recognition?

SENATOR KARPIEL:

Thank you, Madam President. I rise for the purpose of an announcement. There will be a Republican Caucus in Senator Pate Philip's Office immediately. A Republican Caucus.

PRESIDING OFFICER: (SENATOR DONAHUE)

A Republican Caucus in Senator Pate Philip's Office immediately following adjournment. Senator Demuzio, for what purpose do you seek recognition?

SENATOR DEMUZIO:

I -- Madam President, I'm -- we didn't hear the last -- the last announcement that you made. Could you restate that, please?

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Karpiel has requested a Republican Caucus in Senator Philip's Office. Senator Demuzio.

SENATOR DEMUZIO:

Well, then, are we going to adjourn and -- and you're going to have the caucus after we adjourn? Is that what we're doing?

PRESIDING OFFICER: (SENATOR DONAHUE)

I said upon adjournment. Yes, sir. Are you requesting one, sir? Senator Demuzio. Senator Smith.

SENATOR SMITH:

Thank you, Madam President. I would like to announce that there will be a brief caucus right after this meeting in Senator Jones' Office, please.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Smith has requested a Democratic Caucus in Senator Jones' Office immediately upon adjournment. Senator Hendon, for what purpose do you rise?

SENATOR HENDON:

Thank you, Madam President. A -- a point of personal privilege.

PRESIDING OFFICER: (SENATOR DONAHUE)

State your point.

SENATOR HENDON:

As an interested citizen of America, I was wondering if we could get President Philip or -- I was wondering if we could get President Philip or one of the members of the Republican leadership to give us a -- a spin on what they believe is going on in Florida right now - what the outcome of that might be.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further -- Senator... Okay. Resolutions.

ACTING SECRETARY HAWKER:

Senate Resolution 437, offered by Senator O'Malley.

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It is a death resolution.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley moves to suspend the rules for the purpose of the immediate consideration and adoption of Senate Resolution 337 -- 437. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the rules are suspended. Senator O'Malley. Senator O'Malley moves for the adoption -- Senator O'Malley has moved the adoption of Senate Resolution 437. Those in favor, say Aye. Opposed, say Nay. And the Ayes have it, and the resolution is adopted. Pursuant to the adjournment resolution, Senator Philip moves that the Senate stand adjourned at noon on November -- Tuesday, November 14th. The Senate is adjourned.

